



# PATENT

Docket No.: USAV2003/0110 US NP

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of  
**Tahir N. Majid et al.**

Examiner: Not yet assigned

Art Unit: Not yet assigned

Serial No.: **10/613,588**

Filed: **July 03, 2003**

Title: **PYRAZOLOISOQUINOLINES AS  
KINASE INHIBITORS FOR THE  
TREATMENT OF VARIOUS  
DISORDERS**

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Petition, Commissioner for Patents, P.O. Box 1450,  
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**October 10, 2003**

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Signature

**EL721892293 US**

Express Mail Certificate

### PETITION UNDER 37 C.F.R. §§ 1.10(a)(1), 1.53(b) and 1.181 TO CORRECT FILING DATE OF NONPROVISIONAL APPLICATION

Mail Stop Petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

#### PETITION

Applicants respectfully petition to correct the filing date granted by the USPTO in the above-identified patent application from July 7, 2003 to July 3, 2003 for the reasons set forth below.

#### STATEMENT OF THE FACTS

Pursuant to 37 C.F.R. § 1.181(b), Applicants respectfully state that the following sets forth the procedural events that occurred before the United States Patent and Trademark Office in the above-identified patent application:

1. The above identified patent application was deposited with the United States Postal Service (USPS) using an "Express Mail Postal Service" addressed to "Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" on July 03, 2003 (see Exhibit A). The undersigned further states that the above-identified application was deposited with the USPS on July 3, 2003 with a signed certificate of mailing as evidenced by the enclosed transmittal letter (Exhibit

B), which shows the "Express Mail No." to be EL 816576588 US, certified and signed by Maribel Mendez that the subject correspondence is being deposited with the USPS on July 3, 2003.

2. The above-identified application was delivered to the USPTO at 11:09 AM on July 5, 2003 (which was a Saturday) as evidenced by the enclosed "Track and Confirm" sheet that is available on the USPS website (see Exhibit C). It is apparent from this sheet that the above-identified application was signed and received by R. Atiati of the USPTO.
3. The USPTO issued a filing date of July 7, 2003 and assigned the application serial no. 10/613,588 (see attached copy of the return post card, which is affixed with a bar-coded application serial number and date from the USPTO, Exhibit D).
4. Applicants further assert that the above-identified application was filed satisfying all of the provisions of 37 C.F.R. § 1.53(b). The application along with all of the requisite papers were deposited at the United States Postal Office using express mail on July 3, 2003 pursuant to the provisions of 37 C.F.R. § 1.10(a)(1).
5. In addition, Applicants would like to point out that two related applications were also filed with the USPTO on the same day of July 3, 2003 using the same USPS Express Mail Service in two separate packages, both of which were assigned correctly the filing date of July 3, 2003.
6. The first related application is the corresponding PCT application, Docket No. USAV2003/0110 WO PCT, which was sent by an Express Mail No. EL 816576530 US (see Exhibit E) on July 3, 2003, and was received by R. Atiati of the USPTO on July 5, 2003 as evidenced by the "Track & Confirm" sheet (see Exhibit F). The USPTO assigned a filing date of July 3, 2003 (Application No. PCT/US 03/21144) as stamped on the return post card (see Exhibit G).
7. The second related US Non-provisional application, Docket No. DEAV2002/0045 US NP, which was sent by an Express Mail No. EL 816576852 US (see Exhibit H) on July 3, 2003, and was received by R. Atiati of the USPTO on July 5, 2003 as evidenced by the "Track & Confirm" sheet (see Exhibit I). The USPTO assigned a filing date of July 3, 2003 (Ser. No. 10/613,482) as stamped on the return post card (see Exhibit J).

### POINTS TO BE REVIEWED

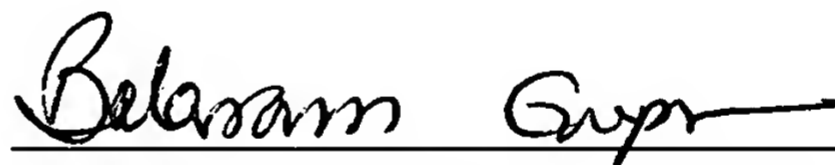
1. From the foregoing "Statement of Facts," it is respectfully submitted that Applicants have fully complied with all of the provisions in accordance with 37 C.F.R. §§ 1.10(a)(1) & 1.53(b).
2. As further evidenced from the "Statement of Facts," two related applications mailed on the same date of July 3, 2003 were granted correct filing date of July 3, 2003 but the instant application incorrectly received the filing date of July 7, 2003.

### ACTION REQUESTED

Applicants respectfully request the Commissioner to correct the filing date in the instant application and grant the filing date of July 03, 2003.

The Commissioner is hereby authorized to charge any fees under 37 C.F.R. 1.17(i) which may be required by this paper or credit any overpayment to **Deposit Account No. 18-1982** for Aventis Pharmaceuticals, Inc., Bridgewater, NJ. Please credit any overpayment to **Deposit Account No. 18-1982**. A duplicate copy of this transmittal letter is enclosed for accounting purposes.

Respectfully submitted,



---

Balaram Gupta, Reg. No. 40,009  
Attorney/Agent for Applicant

Enclosures: Exhibits A through J (11 pages)

Aventis Pharmaceuticals Inc.  
Patent Department  
Route #202-206 / P.O. Box 6800  
Bridgewater, NJ 08807-0800  
Telephone: 908-231-3364  
Telefax: 908-231-2626

Docket No. USAV2003/0110 US NP

EXHIBIT A



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Date in Mo. Day Year 11 12 2006		Military 12 Noon <input type="checkbox"/> 3 PM <input type="checkbox"/>		Postage \$ 17 85	
Time in Mo. Day Year 11 12 2006		2nd Day <input type="checkbox"/> 3rd Day <input type="checkbox"/>		Return Receipt Fee	
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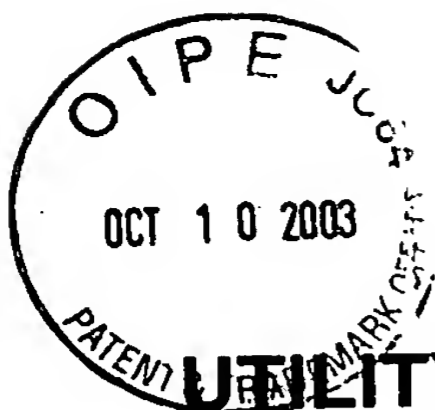


EXHIBIT B

PATENT

**UTILITY PATENT APPLICATION TRANSMITTAL**

(only for new non-provisional applications under 37 CFR §1.53(b))

Mail Stop Patent Application  
Commissioner of Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Transmitted herewith for filing is the patent application  
under 37 CFR 1.53(b) of:

AVENTIS DOCKET NO.: **USAV2003/0110 US NP**  
INVENTORS: **Tahir N. Majid, et al**  
TITLE: **Pyrazolisoquinolines as Kinase  
Inhibitors for the Treatment of Various  
Disorders**

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Patent Application, Commissioner of Patents, P.O.  
Box 1450, Alexandria, VA 22313-1450, on

July 3, 2003

Date of Deposit

Signature

EI 816576588 US

Express Mail No.

**APPLICATION ELEMENTS**

1. ☒ \*Fee Transmittal Form (e.g., PTO/SB/17)  
(Submit an original and a duplicate for fee processing)

2. ☒ Specification  
(preferred arrangement set forth below)
- Descriptive title of the Invention
  - Cross References to Related Applications
  - Statement Regarding Fed sponsored R & D
  - Reference to Microfiche Appendix
  - Background of the Invention
  - Brief Summary of the Invention
  - Brief Description of the Drawings (if filed)
  - Detailed Description
  - Claim(s)
  - Abstract of the Disclosure

Total Pages 104

3. ☐ Drawing(s) (35 U.S.C. 113)

Total Sheets

4. Oath or Declaration

Total Pages 2

- a. ☒ Newly unexecuted (original or copy)

- b. ☐ Copy from a prior application (37 CFR § 1.63(d))

- i. ☐ DELETION OF INVENTOR(S)

Signed statement attached deleting inventor(s) named in the prior  
application, see 37 CFR §§ 1.63(d)(2) and 1.33(b).

5. Power of Attorney

Total Pages 1

- a. ☒ Newly executed (original)

- b. ☐ Copy from a prior application (37 CFR § 1.63(d))

6. ☐ Microfiche Computer Program (Appendix)

7. Nucleotide and/or Amino Acid Sequence Submission

(if applicable, all necessary)

- a. ☐ Computer Readable Copy  
b. ☐ Paper Copy (identical to computer copy)  
c. ☐ Statement verifying identity of above copies

☐ If a **CONTINUING Application**, check appropriate box, and supply the requisite information:

☐ Continuation ☐ Divisional ☐ Continuation-in-part

of prior application no: \_\_\_\_\_, filed \_\_\_\_\_,

Examiner \_\_\_\_\_, Group/Art Unit \_\_\_\_\_.

(The cross reference has been/will be inserted on page one of the specification).

☐ This application claims the benefit of U.S. Provisional Application No. \_\_\_\_\_,  
filed \_\_\_\_\_. (The cross reference has been/will be inserted on page one of the specification).

☐ **Incorporation By Reference** (useable if filing a continuation/divisional and a copy of the declaration from the prior application is enclosed.)

The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.

**ACCOMPANYING APPLICATION PARTS**

7. ☐ Assignment Papers (*cover sheet & document(s)*)  
8. ☐ 37 CFR §3.73(b) Statement  
(*when there is an assignee*)  
9. ☐ Verified English Translation Document (*if applicable*)  
10. ☐ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS Citations  
11. ☐ Preliminary Amendment  
12. ☒ Return Receipt Postcard (MPEP 503)  
(*Should be specifically itemized*)  
13. ☐ \*Small Entity Statement(s) ☐ Statement filed in prior application,  
(*PTO/SB/09-12*) Status still proper and desired  
14. ☐ Certified Copy of Priority Document(s)  
(*if foreign priority is claimed*)  
15. ☒ Other: Application Data Sheet

**CORRESPONDENCE ADDRESS**

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Balaram Gupta  
Balaram Gupta, Reg. No. 40,009  
Attorney/Agent for Applicant

Aventis Pharmaceuticals Inc.  
Patent Department  
Route #202-206 / P.O. Box 6800  
Bridgewater, New Jersey 08807-0800  
Telephone (908) 231-3364  
Telefax (908) 231-2626  
Aventis Docket No. USAV2003/0110 US NP



## EXHIBIT C

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# EXHIBIT D

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APPLICANT(S) <b>TAHIR N. MAJID, ET AL</b>		ATTY <b>B. Gupta</b>
TITLE OF INVENTION: <b>PYRAZOLISOQUINOLINES AS KINASE INHIBITORS FOR THE TREATMENT OF VARIOUS DISORDERS</b>		

The Patent Office acknowledges and has stamped hereon the date of receipt of the items checked below:

<input type="checkbox"/> Affidavit/Declaration, 37 CFR _____	<input type="checkbox"/> Maintenance fee transmittal
<input type="checkbox"/> Amendment, 37 CFR _____	<input checked="" type="checkbox"/> Patent Application (NON-PROVISIONAL) <b>66</b>
<input type="checkbox"/> Appeal notice/Appeal Brief	<b>104</b> Total # of pages (Spec and claims)
<input type="checkbox"/> Assignment & Cover Sheet	# of sheets of drawings
<input type="checkbox"/> Cert. of correction request	<input checked="" type="checkbox"/> Declaration/Oath: signed <b>66</b> unsigned
<input checked="" type="checkbox"/> Cert. of Exp. Mailing, Date: <b>7.3.03</b>	<input checked="" type="checkbox"/> Transmittal letter
No. <b>EL 816576588 US</b>	<input checked="" type="checkbox"/> Power of Attorney (SIGNED) <b>66</b>
<input type="checkbox"/> Charge deposit account, in duplicate	<input type="checkbox"/> PCT Application, transmittal, request & fee sheet
<input type="checkbox"/> Check \$ _____ for _____	<input type="checkbox"/> Petition under 37 CFR
<input type="checkbox"/> Demand for PCT examination	<input type="checkbox"/> Power of attorney
<input type="checkbox"/> Extension of time petition	<input type="checkbox"/> Priority claim
<input type="checkbox"/> IDS (information disclosure statement)	<input type="checkbox"/> Reply, 37 CFR
PTO Form 1449: # of pages enc. _____	<input checked="" type="checkbox"/> Other <b>Application Data Sheet (5pgs)</b> <b>66</b>
# of reference enc. _____	
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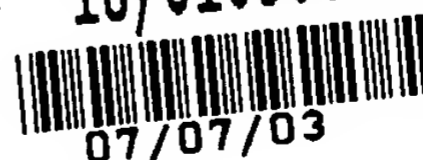
**Aventis Pharmaceuticals Inc.**

**Route 202-206**

**PO Box 6800**

**Bridgewater, NJ 08807-0800**

21712 U.S. PTO  
**10/613588**



07/07/03

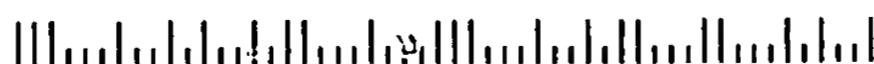


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# EXHIBIT G

DOC NO. <b>US 2003/0110 WO PCT</b>	SERIAL NO. <b>NOT YET DESIGNATED</b>	DATE <b>JUL 3, 2003</b>
APPLICANT(S) <b>AVENTIS PHARMACEUTICALS INC., ET AL B. Gupta</b>		
TITLE OF INVENTION: <b>PYRAZOLOISOQUINOLINE DERIVATIVES AS KINASE INHIBITORS</b>		
<b>PCT/US 03/21144</b>		




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- ☐ Appeal notice/Appeal Brief
- ☐ Assignment & Cover Sheet
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No. **EL 816576530 US**
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- ☐ IDS (information disclosure statement)  
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# of reference enc. \_\_\_\_\_
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- ☐ # of sheets of drawings
- ☐ Declaration/Oath: \_\_\_\_\_ signed \_\_\_\_\_ unsigned
- ☐ Transmittal letter
- ☐ Power of Attorney
- ☒ PCT Application, transmittal, request & fee sheet
- ☐ Petition under 37 CFR
- ☒ Power of attorney **(Unexecuted)**
- ☐ Priority claim
- ☐ Reply, 37 CFR
- ☒ Other **PCT-EASY Diskette, Unexecuted Declaration**

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Date In Mo. 7 Day 3 Year 3	<input checked="" type="checkbox"/> 12 Noon <input type="checkbox"/> 3 PM	Postage \$ 17 85
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APPLICANT(S) <b>DR. STEFANIE FLOHR, ET AL</b>		ATTY <b>Gupta, B</b>
TITLE OF INVENTION: <b>CYRAZOLIDISQUINOLINE DERIVATIVES FOR INHIBITING NFKAPPAB-INDUCING KINASE</b>		

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<input type="checkbox"/> Amendment, 37 CFR _____	<input checked="" type="checkbox"/> Patent Application (NON-PROVISIONAL) <b>B6</b>
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<input type="checkbox"/> Assignment & Cover Sheet	<input type="checkbox"/> # of sheets of drawings
<input type="checkbox"/> Cert. of correction request	<input checked="" type="checkbox"/> Declaration/Oath: <input checked="" type="checkbox"/> signed <input checked="" type="checkbox"/> unsigned
<input checked="" type="checkbox"/> Cert. of Exp. Mailing, Date: <b>07-03-03</b>	<input checked="" type="checkbox"/> Transmittal letter
No. <b>EL 816376852 US</b>	<input type="checkbox"/> Power of Attorney
<input type="checkbox"/> Charge deposit account, in duplicate	<input type="checkbox"/> PCT Application, transmittal, request & fee sheet
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<input type="checkbox"/> Demand for PCT examination	<input type="checkbox"/> Power of attorney
<input type="checkbox"/> Extension of time petition	<input type="checkbox"/> Priority claim
<input type="checkbox"/> IDS (information disclosure statement)	<input checked="" type="checkbox"/> <b>ENGLISH TRANSLATION OF GB 10329762</b>
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